S.B. Civil Misc. Application No.11/2005
In
S.B. Civil Second Appeal No.537 Of 2004.
Trilok Chand & Others Vs. Urmila Devi

Date Of Order ::: 07.12.2006.

Hon'ble Mr. Narendra Kumar Jain J.

Mr. S.P. Sharma, Counsel for applicant-appellant

Heard learned counsel for the applicant.

Learned counsel for the applicant has filed an application to recall the order dated 06.12.2004 passed in S.B. Civil Second Appeal No.537 of 2004.

The grievance of the learned counsel for the applicant is that he filed caveat in the second appeal on behalf of the respondent, but his name was not shown in the cause list when the matter was listed on 06.12.2004 before this Court, therefore, he could not attend the case on that day.

I have considered the order dated 06.12.2004 and I find that even in absence of learned counsel for the caveator the appeal filed by the defendant-appellant was dismissed, therefore, in my opinion no prejudice has been caused to the applicant.

Consequently, I find no merit in this

application and the same is accordingly dismissed.

(Narendra Kumar Jain) J.